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APPLICATION NO.	F	TLING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/750,003	12/30/2003		Ingo Zenz	6570P016	9941	
8791	7590	06/29/2006		EXAMINER		
		OFF TAYLOR & DULEVARD	MORRISON, JAY A			
SEVENTH FLOOR			ART UNIT	PAPER NUMBER		
LOS ANGE	LOS ANGELES, CA 90025-1030			2168		
				DATE MAILED, 04/20/200	DATE MAILED: 06/20/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/750,003	ZENZ, INGO				
Office Action Summary	Examiner	Art Unit				
	Jay A. Morrison	2168				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION (6(a). In no event, however, may a reply be tin fill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) ☐ Responsive to communication(s) filed on 30 December 2a) ☐ This action is <b>FINAL</b> . 2b) ☐ This 3) ☐ Since this application is in condition for allowant closed in accordance with the practice under E	action is non-final. ace except for formal matters, pro					
Disposition of Claims						
4) ☐ Claim(s) 1-28 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-28 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or						
Application Papers						
9)☐ The specification is objected to by the Examiner 10)☒ The drawing(s) filed on 30 December 2003 is/an Applicant may not request that any objection to the o Replacement drawing sheet(s) including the correction 11)☐ The oath or declaration is objected to by the Ex	re: a) $\square$ accepted or b) $\square$ object drawing(s) be held in abeyance. Section is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119	•					
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) Interview Summary					
Notice of Draftsperson's Patent Drawing Review (PTO-948)     Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)     Paper No(s)/Mail Date	Paper No(s)/Mail D. 5) Notice of Informal F 6) Other:	ate Patent Application (PTO-152)				

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#### **DETAILED ACTION**

1. Claims 1-28 are pending.

#### Claim Rejections - 35 USC § 112

- 2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
  - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 3. Claims 8,9,24-25,28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 8,9,24-25,28, the phrase "if" or "may be" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

#### Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 7-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claims 7-15, the cited claims do not produce a tangible result. Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional

change in the computer. See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory. In addition, claims that do not in any way make tangible any results are also not statutory.

## Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 7. Claims 1,19,26 are rejected under 35 U.S.C. 102(b) as being anticipated by Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915).

As per claim 1, Rubert teaches

"A property sheet system comprising:" (see abstract and background)

"a property sheet data structure including a plurality of property names, a plurality of non-modifiable parameters and a plurality of modifiable parameters, wherein each respective property name included in the property sheet data structure is associated with a non-modifiable parameter and optionally a modifiable parameter; and a user interface to display contents of the property sheet data structure, the user interface to receive inputs to select and modify a parameter associated with the property sheet data structure" (column 5, line 55 through column 6, line 6).

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As per claim 19, Rubert teaches

"A system comprising:" (see abstract and background)

"means for displaying contents of a property sheet having a plurality of properties, wherein each of said properties is associated with a property name, a nonmodifiable default parameter and optionally a custom parameter; and means for receiving input to select and modify a parameter associated with a property included in the property sheet" (column 5, line 55 through column 6, line 6).

As per claim 26, Rubert teaches

"A machine-readable medium that provides instructions, which when executed by a processor cause the processor to perform operations comprising:" (see abstract and background)

"displaying contents of a property sheet data structure, the property sheet data structure including a plurality of property names, a plurality of non-modifiable default

parameters and a plurality of custom parameters; receiving input to select a custom parameter included in the property sheet data structure; receiving input to modify the selected custom parameter; and storing the modified custom parameter without changing a default parameter corresponding to the modified custom parameter" (column 5, line 55 through column 6, line 6).

## Claim Rejections - 35 USC § 103

- 8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 9. Claims 2,6,8-11,13,15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Rubert et al.</u> ('<u>Rubert</u>' hereinafter) (Patent Number 6,366,915) in view of <u>Gudjonsson et al.</u> ('<u>Gudjonsson</u>' hereinafter) (Patent Number 6,564,261).

As per claim 2,

Rubert does not explicitly indicate "the property sheet data structure is associated with one or more components contained within a clustered system".

However, <u>Gudjonsson</u> discloses "the property sheet data structure is associated with one or more components contained within a clustered system" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "the property sheet data structure is associated with one or more components contained within a clustered system" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 6, Rubert teaches

"A method comprising:" (see abstract and background)

"providing a property sheet ..., the property sheet including a plurality of configuration parameters, each parameter associated with a name, a default parameter and optionally a custom parameter" (column 5, line 55 through column 6, line 6);

Rubert does not explicitly indicate "associated with a component contained within a clustered system ...; changing the component contained within the clustered system; and selectively updating the parameters included in the property sheet in response to changing the component".

However, <u>Gudjonsson</u> discloses "associated with a component contained within a clustered system ...; changing the component contained within the clustered system; and selectively updating the parameters included in the property sheet in response to changing the component" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "associated with a component contained

within a clustered system ...; changing the component contained within the clustered system; and selectively updating the parameters included in the property sheet in response to changing the component" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 8, Rubert teaches

"determining if a custom parameter included in the property sheet is valid with the changed component" (optionally recited limitations are not required to be taught by the Office, see MPEP § 2106 Section II(C)).

As per claim 9, Rubert teaches

"deselecting the custom parameter if the custom parameter is not valid with the changed component" (optionally recited limitations are not required to be taught by the Office, see MPEP § 2106 Section II(C)).

As per claim 10,

Rubert does not explicitly indicate "the cluster includes a plurality of instances".

However, <u>Gudjonsson</u> discloses "the cluster includes a plurality of instances" (plurality of clusters, column 7, lines 35-40).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of imitation> would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

## As per claim 11, Rubert teaches

"A configuration data content for a cluster including a plurality of instances, the configuration data content comprising:" (see abstract and background)

"a data structure including files, objects and property sheets, wherein each property sheet defines configuration parameters of a plurality of properties ..., and at least one property included in the property sheet is defined by a name, a non-modifiable default parameter and a custom parameter" (column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "associated with a component contained within the cluster".

However, <u>Gudjonsson</u> discloses "associated with a component contained within the cluster" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> and <u>Gudjonsson</u> because using the steps of "associated with a component contained within the cluster" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 13, Rubert teaches

"each property sheet is displayable in a first dialog box, including a plurality of entry rows, each entry row defining a property" (column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "associated with a component".

However, <u>Gudjonsson</u> discloses "associated with a component" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> and <u>Gudjonsson</u> because using the steps of "associated with a component" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 15,

Rubert does not explicitly indicate "the property sheets are included in a configuration data structure containing configuration information associated with the entire cluster"

However, <u>Gudjonsson</u> discloses "the property sheets are included in a configuration data structure containing configuration information associated with the entire cluster" (all components in the cluster, column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "the property sheets are included in a

configuration data structure containing configuration information associated with the entire cluster" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 16, Rubert teaches

A method comprising:" (see abstract and background)

"displaying contents of the property sheet, the property sheet including non-modifiable parameters and modifiable parameters; and receiving input to select and modify a parameter of the displayed property sheet" (column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "providing a property sheet associated with a component contained within a cluster".

However, <u>Gudjonsson</u> discloses "providing a property sheet associated with a component contained within a cluster" (column 18, lines 24-28);

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "providing a property sheet associated with a component contained within a cluster" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 17, Rubert teaches

"the displaying contents of a property sheet comprises: providing a number of entry rows; displaying names of corresponding properties in a first column of each entry row; displaying configuration parameters associated with corresponding properties in a second column of each entry row; and indicating if a configuration parameter displayed in the second column is a default parameter or a custom parameter" (column 5, line 55 through column 6, line 6).

As per claim 18,

Rubert does not explicitly indicate "the property sheet is included in a configuration data structure containing configuration information associated with the cluster".

However, <u>Gudjonsson</u> discloses "the property sheet is included in a configuration data structure containing configuration information associated with the cluster" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "the property sheet is included in a configuration data structure containing configuration information associated with the cluster" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

10. Claims 3-5,20-25,27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Tanner et al. ('Tanner' hereinafter) (Publication Number 2005/011).

As per claim 3,

Rubert does not explicitly indicate "the user interface comprises: a first dialog box to display contents of the property sheet data structure, the first dialog box including a plurality of entry rows, the entry rows including a first column to display names of corresponding properties, a second column to display configuration parameters associated with the corresponding properties and a third column to indicate if the configuration parameters are default or custom parameters; and a second dialog box to receive input to modify a custom parameter".

However, <u>Tanner</u> discloses "the user interface comprises: a first dialog box to display contents of the property sheet data structure, the first dialog box including a plurality of entry rows, the entry rows including a first column to display names of corresponding properties, a second column to display configuration parameters associated with the corresponding properties and a third column to indicate if the configuration parameters are default or custom parameters; and a second dialog box to receive input to modify a custom parameter" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Tanner because using the steps of "the user interface comprises: a first dialog box to display contents of the property sheet data structure, the first dialog box including a

plurality of entry rows, the entry rows including a first column to display names of corresponding properties, a second column to display configuration parameters associated with the corresponding properties and a third column to indicate if the configuration parameters are default or custom parameters; and a second dialog box to receive input to modify a custom parameter" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 4,

Rubert does not explicitly indicate "the second dialog box further includes a name field to display a name of a corresponding property and a default field to display a default configuration parameter associated with the corresponding property".

However, <u>Tanner</u> discloses "the second dialog box further includes a name field to display a name of a corresponding property and a default field to display a default configuration parameter associated with the corresponding property" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Tanner because using the steps of "the second dialog box further includes a name field to display a name of a corresponding property and a default field to display a default configuration parameter associated with the corresponding property" would have given those skilled in the art the tools to improve the invention by avoiding errors when

entering data. This gives the user the advantage of having a standardized entry application.

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As per claim 5,

Rubert does not explicitly indicate "the second dialog box further includes a data type field to display the data type associated with corresponding property".

However, <u>Tanner</u> discloses "the second dialog box further includes a data type field to display the data type associated with corresponding property" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> and <u>Tanner</u> because using the steps of "the second dialog box further includes a data type field to display the data type associated with corresponding property" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 20,

Rubert does not explicitly indicate "means for receiving input to select between the default parameter and the custom parameter to be applied to a property included in the property sheet".

However, <u>Tanner</u> discloses "means for receiving input to select between the default parameter and the custom parameter to be applied to a property included in the property sheet" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> and <u>Tanner</u> because using the steps of "means for receiving input to select between the default parameter and the custom parameter to be applied to a property included in the property sheet" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

## As per claim 21, Rubert teaches

"the means for displaying further comprises: means for indicating if a configuration parameter displayed by the means for displaying is a default parameter or a custom parameter" (optionally recited limitations are not required to be taught by the Office, see MPEP § 2106 Section II(C)).

As per claim 22,

Rubert does not explicitly indicate "means for selectively updating the parameters included in the property sheet in response to changing of a component".

However, <u>Tanner</u> discloses "means for selectively updating the parameters included in the property sheet in response to changing of a component" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Tanner because using the steps of "means for selectively updating the parameters included in the property sheet in response to changing of a component" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 23,

Rubert does not explicitly indicate "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the changed component".

However, Tanner discloses "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the changed component" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Tanner because using the steps of "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the changed component" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 24, Rubert teaches

"means for determining if a custom parameter included in the property sheet is valid with the changed component" (optionally recited limitations are not required to be taught by the Office, see MPEP § 2106 Section II(C)).

As per claim 25, Rubert teaches

"means for deselecting a custom parameter if the custom parameter is not valid with the changed component" (optionally recited limitations are not required to be taught by the Office, see MPEP § 2106 Section II(C)).

As per claim 27,

Rubert does not explicitly indicate "the operations performed by the processor further comprise: selectively updating the parameters included in the property sheet data structure in response to changing of a component".

However, <u>Tanner</u> discloses "the operations performed by the processor further comprise: selectively updating the parameters included in the property sheet data structure in response to changing of a component" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> and <u>Tanner</u> because using the steps of "the second dialog box further includes a data type field to display the data type associated with corresponding property" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 28, Rubert teaches

"determining if a custom parameter included in the property sheet data structure is valid with the changed component" (optionally recited limitations are not required to be taught by the Office, see MPEP § 2106 Section II(C));

"and deselecting an applied custom parameter if the applied custom parameter is not valid with the changed component" (optionally recited limitations are not required to be taught by the Office, see MPEP § 2106 Section II(C)).

Rubert does not explicitly indicate "the operations performed by the processor further comprise: automatically updating a default parameter included in the property sheet data structure with a different default parameter associated with a corresponding property of the changed component".

However, <u>Tanner</u> discloses "the operations performed by the processor further comprise: automatically updating a default parameter included in the property sheet data structure with a different default parameter associated with a corresponding property of the changed component" (paragraphs [0065]-[0066]);

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> and <u>Tanner</u> because using the steps of "the second dialog box further includes a data type field to display the data type associated with corresponding property" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

11. Claims 7,12,14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Gudjonsson et al. ('Gudjonsson' hereinafter) (Patent Number 6,564,261) and further in view of Tanner et al. ('Tanner' hereinafter) (Publication Number 2005/011).

As per claim 7,

Rubert as modified, does not explicitly indicate "automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the component in response to changing the component".

However, <u>Tanner</u> discloses "automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the component in response to changing the component" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert as modified and Tanner because using the steps of "automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the component in response to changing the component" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 12,

Rubert as modified does not explicitly indicate "a custom parameter associated with a property is modifiable by receiving and applying a new custom parameter".

However, <u>Tanner</u> discloses "a custom parameter associated with a property is modifiable by receiving and applying a new custom parameter" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> as modified and <u>Tanner</u> because using the steps of "a custom parameter associated with a property is modifiable by receiving and applying a new custom parameter" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 14,

Rubert as modified does not explicitly indicate "each entry row of the first dialog box includes a first column to display names of corresponding properties, a second column to display configuration parameters associated with the corresponding properties and a third column to indicate if the configuration parameters are default or custom parameters".

However, <u>Tanner</u> discloses "each entry row of the first dialog box includes a first column to display names of corresponding properties, a second column to display

configuration parameters associated with the corresponding properties and a third column to indicate if the configuration parameters are default or custom parameters" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert as modified and Tanner because using the steps of "each entry row of the first dialog box includes a first column to display names of corresponding properties, a second column to display configuration parameters associated with the corresponding properties and a third column to indicate if the configuration parameters are default or custom parameters" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

#### Conclusion

12. The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Jay Morrison TC2100 Tim Vo

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